

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION

ALAN KACHALSKY, et al., : Case No. 10-CV-05413-CS

:

Plaintiffs, :

:

v. :

:

SUSAN CACACE, :

:

Defendants. :

:

-----X

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that pursuant to the Court's orders, local rules, and Fed. R.

Civ. Proc. 56, the undersigned will move on behalf of Plaintiffs, Alan Kachalsky, Christina Nikolov, Eric Detmer, Johnnie Nance, Anna Marcucci-Nance, and Second Amendment Foundation, Inc., before the Honorable Judge Cathy Seibel in courtroom 218, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, 10601, at a time and date set by the Court, for a summary judgment in their favor and against Defendants, and for any other further relief as may be deemed just and appropriate.

The motion will be based upon this notice, the Memorandum of Law dated January 5, any responsive pleadings, the exhibits, declarations, separate statement of undisputed material fact, and any other material in the Court's files or of which the Court may take judicial notice.

Dated: January 5, 2011

Respectfully submitted,

Alan Gura*
Gura & Possessky, PLLC
101 N. Columbus Street, Suite 405
Alexandria, VA 22314
703.835.9085/Fax 703.997.7665
Lead Counsel
*Admitted Pro Hac Vice

Vincent Gelardi
Gelardi & Randazzo
800 Westchester Avenue, Suite S-608
Rye Brook, NY 10573
914.251.0603/Fax 914.253.0909
Local Counsel

By: _____
Alan Gura

Attorneys for Plaintiffs